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2006 APR 26 PM 4:27

US PATENT & TRADEMARK  
OFFICE11350 Random Hills Road  
Suite 600  
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Tel 571 432 0800  
Fax 571 432 0808**FACSIMILE TRANSMITTAL****TO:****Name:** Refund Department**Firm:** PTO**Fax No.:** 571.273.6500**Phone No.:** 571.272.6500**Subject:** Deposit Account 50-1070**FROM:****Name:** Renee De Frees**Phone No.:** (571) 432-0800**Fax # Verified by:****# Pages (incl. this):** 5**Date:** 4.26.06**Message:**

On our Monthly Statement of Deposit Account (Account No. 50-1070) dated March 30, 2006, we have been erroneously charged in the amount of \$120.00 (fee code: 1251) for U.S. Serial No. 10/608,139 for an Extension for response within the first month. This charge is incorrect for the reasons stated below:

On attachment 1, the office action summary, examiner Hanh B. Thai give us two months to respond to the office action. Attachment 2 shows that this office action had a mailing date of January 24, 2006, making March 24, 2006 the deadline. Attachment 3 is our postcard, where the PTO mailroom has certified that we delivered our amendment on March 10, 2006, a full two weeks before the deadline.

Please credit our Deposit Account No. 50-1070 in the amount of \$120.00. A copy of the Monthly Statement for March 30, 2006 is following herewith.

If you require additional information, please contact me at the numbers above.

Sincerely,

If there is a problem with this transmission, notify the sender at the number above.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/608,139		GHEMAWAT ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Hanh B. Thai		2163	

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 30 June 2003.

2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 1-27 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☒ Claim(s) 1-27 are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some \* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

(1)

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: \_\_\_\_\_

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HARRITY SNYDER, LLP

571 432 0808 P.003



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,139	06/30/2003	Sanjay Chemsawat	0026-0029	3005

44989 7590 01/24/2006

HARRITY SNYDER, LLP  
11350 Random Hills Road  
SUITE 600  
FAIRFAX, VA 22030

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EXAMINER

THAI, HANH B

ART UNIT PAPER NUMBER

2163

DATE MAILED: 01/24/2006

Resp Rest Req: 3/24/06

Please find below and/or attached an Office communication concerning this application or proceeding.

REGISTERED MRB

(2)

Inventor(s): Sanjay Ghemawat et al.Appl. No.: 10/608,139Docket No.: 0026-0029 (GP-088-01-US)Working Atty: PAHDate: March 10, 2006Title: SYSTEMS AND METHODS FOR REPLICATING DATA

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The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- ☒ Amendment/Reply Transmittal Letter
- ☒ Amendment and Response to Restriction Requirement
- ☒ Statement under 37 CFR 3.73(b)
- ☒ Power of Attorney and Correspondence Address Indication Form with Exhibit A & Exhibit B



CUSTOMER NUMBER: 44989

(3)

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To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

HARRITY & SNYDER  
PAUL A HARRITY  
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SUITE 300  
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FINA

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BY:-----

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Page	1

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3	14	06	486	11107696	0055-0019	8021	40.00	5517.00	
3	15	06	343	11350274	0054-0024	8007	20.00	5497.00	
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3	22	06	12	10608139	0026-0029	1251	120.00	5157.00	
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